ATTACHMENT A

Remarks

Claims 1-24 have been rejected under 35 U.S.C. 102(e) as being "anticipated by" the Hall patent. This rejection is respectfully traversed.

The Hall patent relates to a dynamic information transfer system wherein information is transferred between a mobile target such as an automobile and a fixed target, or between two mobile targets. As set forth at lines 22-27 of column 5, if a first target determines that the position of another target places it within one of its virtual zones 150, then the first target will initiate contact with the other target for the purpose of transferring data needed to perform any activities associated with the virtual zone that has been entered. As stated at lines 6-24 of column 2, these "virtual zones are artificial bounded areas encompassing each target," and "function as triggering mechanisms when their boundaries are crossed." Crossing into or departing from a virtual zone can trigger requests for information, transfers of information, or the initiation of events or programs in other targets. Events that require more time to complete are associated with much larger virtual zones so that when a larger virtual zone is entered into, more time is allotted to perform specified functions associated with entry into that virtual zone.

In addition, as provided at lines 1-16 of column 6, also cited by the Examiner, a mobile user interacts with his PAD to get information, input information, or provide instructions to an associated ISA. These interactions "might include verifying the intended route or specifying types of information transferred to be monitored and performed during the route." Further, the types of information transferred "might include initiating desired programs at the other target (e.g., at the destination or in another mobile target), gathering information during the route (for the user directly, or as required to run programs in the mobile target), or transmitting information during the route (to other users directly, to other agents systems, or as required to run the programs and other targets)."

- 1 -   remarks (09/991,090)

Turning to the claims, the Examiner has relied on the passages discussed above in rejecting claims 1 and 11. However, it is respectfully submitted that neither these passages, nor any other passages of the Hall patent, disclose the present invention as claimed in these claims. Specifically, claim 1 recites means for predicting a time period during which communications between the first and second network can be made and means for transferring information between the first and second network so that the transferring means completes the information transfer within the time period. Although the virtual zones of Hall are "calculated dynamically from the location, direction, speed and current or pending user activities associated with all involved targets," there is no teaching in Hall of predicting of a time period during which communications can be made nor any disclosure of means for transferring information in such a manner that the information transfer is completed within the time period.

With respect to dependent claims 2, 8, 10, 12 and 14, it is respectfully submitted that Hall does not teach the subject matter of these claims and, in particular, does not disclose means for determining whether a remaining time period exists subsequent to said transferring means completing the information transfer within the time period so that the transferring means is capable of executing an additional information transfer completed within the remaining time period. The Examiner refers to column 10, lines 12 to 40 as teaching this feature, but it is respectfully submitted that this passage basically relates to different data types, viz., time sensitive data types and time insensitive data types. In fact, the bulk of this passage is concerned with simply providing examples of each data type. Thus, while the Hall patent recognizes that some of the data transmitted will be time sensitive, it is respectfully submitted that this is clearly not a teaching of the subject matter of the claims in question.

Turning to the other independent claims, it is respectfully submitted that claim 7 is patentable for basically the same reasons set forth above in the discussion of claims 1 and 11. Claim 7 recites, *inter alia*, means for predicting a

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time period during which communications between the local area network and the vehicle area network can be made as well as means for transferring information between the two networks so that the transferring means completes the information transfer within the time period. In addition to the passages discussed above, the Examiner cites two further passages of the Hall reference, viz., column 4, lines 25-37 and column 4, lines 5-24. Both of these passages merely relate to the portions of the instant claims reciting the characteristics of the local area network and the means for establishing communications with a vehicle area network and clearly do not make up the deficiencies of the other passages of the Hall patent discussed above.

Similar remarks apply to claim 9 wherein the same passages are cited and claim 13 wherein, in general, the same passages are cited and wherein the other passages cited are no more relevant than those discussed above. For example, references made to column 8, lines 34-38, but these lines merely refer to the PAD querying the fixed target to obtain available programs or events and then querying the user to confirm the desired programs or events. A similar disclosure is contained in lines 24-30 of column 6 which discusses querying the user profile to determine any existing preferences or programs regarding the user or instructions or parameters regarding its own operation. This passage also discusses dynamic calculations of one or more virtual zones around the position of the target.

Turning to claim 21, it is respectfully submitted that this claim distinguishes over the Hall reference for similar reasons to those discussed above. Specifically, claim 21 recites, _inter alia_, means for determining an amount of data to be transferred between the first and second networks. It is respectfully submitted that no such determination is made in Hall. Thus, while Hall refers to the use of user preferences, Hall does not determine the amount of data to be transferred between two networks.

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Finally, minor amendments have been made in a number of the dependent claims to clarify one recitation. Specifically, the phrase "at least one or more" has been changed to "at least one" since the latter phrase appears to be more appropriate (i.e., the phrase should read either "one or more" or "at least one"). This change obviously has no impact on the patentability of the claims.

Allowance of the application in its present form is respectfully solicited.

END REMARKS

remarks (09/991,090)

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